

JOURNAL OF THE FLORIDA SENATE

Thursday, May 27, 1971

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

INTRODUCTION

By Senators Sayler, Deeb, Ware and Wilson—

SB 1594—A bill to be entitled An act relating to Pinellas County; creating a countywide planning council; setting forth the purpose of the council; providing a formula for the appointment of its members; providing for terms of office and filling vacancies; providing for selection of officers and for compulsory monthly meetings; providing for a quorum; providing attendance requirements; providing for the powers and duties of the council; providing for members to serve without compensation; providing for reimbursement of expenses for members; providing for planning duties of council; providing for public hearings and procedure for adoption of plans by council; providing a procedure for various governmental units to follow in adopting or rejecting plans submitted by the council; providing for procedure when a local unit of government adopts a plan submitted by the council; providing for enforcement when a local unit of government adopts a plan submitted by the council; providing for contractual services; repealing chapter 65-2118, Laws of Florida, which creates the Pinellas planning council; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1594.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By the Committee on Transportation—

SB 1595—A bill to be entitled An act relating to transportation; providing for establishment of regional transportation authorities; providing purposes and powers of the authorities for public transportation systems in and throughout Florida; providing exemptions to the authority from regulation and taxation; providing special district ad valorem taxing; providing for issuance of bonds, pledging of assets and revenue; defining the transportation area and providing for operation and expansion.

Was read the first time by title and referred to the Committees on Transportation and Governmental Efficiency.

By Senators Karl and Daniel—

SB 1596—A bill to be entitled An act relating to Sumter County; abolishing justice of the peace districts and the offices of constable therein; providing for a referendum.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1597—A bill to be entitled An act relating to Sumter County; providing that the county judge of Sumter County shall be a member of the Florida Bar; providing for a referendum.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Karl and Daniel—

SB 1598—A bill to be entitled An act relating to Citrus County; providing for compensation for travel expenses; providing for the Board of County Commissioners to receive not more than one hundred dollars (\$100) per month for said compensation; providing effective date.

Evidence of notice and publication was established by the Senate as to SB 1598.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1599—A bill to be entitled An act to amend section 5 of article XII, of chapter 57-1814, laws of Florida, special acts of 1957, being the charter of the city of Eustis, Florida, and all acts amendatory and supplemental thereto; providing conditions upon grant of franchises as to service, improvements, safety and right of recapture; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1599.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

By Senators Daniel and Karl—

SB 1600—A bill to be entitled An act to provide that the city council of the city of Inverness may, at its discretion, at any time, by ordinance, establish for the city a system of personnel administration based on merit principles and scientific methods, governing the appointment, promotion, transfer, lay-off, dismissal, suspension, removal and discipline of certain of its officers and employees and other incidents of city employment, said system to be known as a civil service system; and providing that the system of personnel administration for civil service of all departments of the city not otherwise provided for may be extended from time to time by ordinance; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1600.

Was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

May 25, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Elections and Representative Martinez—

HB 2228—A bill to be entitled An act relating to the acquisition of voting machines and other voting equipment; providing for certain definitions; providing that certain equipment be acquired by sealed competitive bidding; providing for emergency and single source exceptions; providing for the department of state to establish certain uniform statewide standards; providing a penalty; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 2228, contained in the above message, was read the first time by title and referred to the Committee on Judiciary—Civil B.

The Honorable Jerry Thomas
President of the Senate

May 25, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Finance & Taxation—

CS for HB's 715 & 716—A bill to be entitled An act relating to intangible personal property taxation; revising chapter 199, Florida Statutes, by repealing all provisions of said chapter and adopting the provisions of this act in lieu thereof;

providing for the levy and reporting of intangible personal property for taxation; providing for exemptions; providing for assessment procedures; providing for state administration, collection and enforcement; providing for penalties and procedures; amending subparagraph 122.35 (4)(b) 1., Florida Statutes, to conform; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

CS for HB's 715 and 716, contained in the above message, was read the first time by title and referred to the Committee on Ways and Means.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Mattox and others—

HB 2298—A bill to be entitled An act relating to Haines City, Polk County; amending section 2-A. of chapter 61-2215, Laws of Florida, redefining the territory in Polk County, constituting the corporate limits of the City of Haines City.

Proof of Publication attached.

By Representative Mattox and others—

HB 2299—A bill to be entitled An act relating to Polk County, City of Haines City; granting to said city the power and authority to annex and integrate contiguous territory as a part of said city without referendum upon petition and consent of one hundred percent (100%) of the landowners in such territory to be annexed; providing an effective date.

Proof of Publication attached.

By Representative Libertore and others—

HB 2247—A bill to be entitled An act amending Section 49 of the original Charter of the Town of Dundee, appearing in Chapter 11468, Laws of Florida, 1925; providing for a maximum period of time for granting of public utility franchises; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Craig—

HB 2163—A bill to be entitled An act amending Paragraph (2) of Section 1 of Chapter 30131, Laws of Florida, and amending Section 2 of Chapter 30131, Laws of Florida, acts of the legislative year 1955, entitled "An act authorizing the allocation of the first \$50,000 of race track funds received by Flagler County, Florida, to the Board of Public Instruction of said county, and the balance of such race track funds to the Board of County Commissioners of said county; providing for the pledge of all of said first \$50,000 of said race track funds by said Board of Public Instruction or such portion thereof as may be required for the payment of the principal of and in-

terest on and reserves for any school bonds issued by said Board of Public Instruction for and on behalf of Special Tax School District No. 1 of said county, and providing for the terms and conditions of such pledge and the rights and remedies of the holders of said bonds in relation thereto; and providing when this Act shall take effect"; by changing the remaining balance of such funds to be allocated to the Board of County Commissioners of Flagler County so that the second (next) Fifty Thousand Dollars (\$50,000) to be allocated be allocated to the Board of County Commissioners of Flagler County and the remaining balance of such funds to be allocated be allocated equally between the Board of County Commissioners of Flagler County and the Flagler County School Board, and further, to provide that such remaining monies so allocated to the Flagler County School Board be used for capital outlay projects or improvements as contemplated by law, and providing an effective date.

Proof of Publication attached.

By Representative Craig—

HB 2165—A bill to be entitled An act amending Paragraph (2) of Section 1 of Chapter 30130, Laws of Florida, acts of the legislative year 1955, entitled "An act relating to the allocation of race track funds in Flagler County; providing for the allocation of race track funds received by Flagler County, Florida, pursuant to Chapter 550, Florida Statutes; and setting effective date"; by changing the remaining balance of such funds to be allocated to the Board of County Commissioners of Flagler County so that the second (next) Fifty Thousand Dollars (\$50,000) to be allocated be allocated to the Board of County Commissioners of Flagler County and the remaining balance of such funds to be allocated be allocated equally between the Board of County Commissioners of Flagler County and the Flagler County School Board, and further, to provide that such remaining monies so allocated to the Flagler County School Board be used for capital outlay projects or improvements as contemplated by law, and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Craig—

HB 2290—A bill to be entitled An act relating to the City of Palatka, Putnam County; amending §19, chapter 9875, Laws of Florida, 1923, providing for the composition of the police force of the City of Palatka, and the method of appointment of the members thereof; providing that the number of members of the police force of the City of Palatka shall be prescribed by the city commission; providing an effective date.

Proof of Publication attached.

By Representative Moudry and others—

HB 2179—A bill to be entitled An act relating to plats and platting of lands in Palm Beach County, amending Chapter 69-1425, Laws of Florida 1969, to provide that the Board of County Commissioners of Palm Beach County Florida, shall be authorized to prescribe prerequisites to approval for record of any plat of lands abutting or including County arterial roadways; authorizing the County Commission to withhold approval for recording subdivision plats for lands within municipalities if the County's requirements for width, location, specifications and construction of County arterial roadways are not complied with; and providing an effective date.

Proof of Publication attached.

By Representative Moudry and others—

HB 2182—A bill to be entitled An act relating to Palm Beach County; repealing Chapter 65-2065, Laws of Florida 1965, which authorized the Board of County Commissioners of Palm Beach County, Florida to assume control over certain areas of the Lake Worth Drainage District; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Smith—

HB 1584—A bill to be entitled An act relating to Broward County; providing for compensation to official circuit court reporters and their deputies of the Seventeenth Judicial Circuit in and for Broward County, Florida for furnishing transcripts of testimony and proceedings in civil and criminal cases; providing an effective date.

Proof of Publication attached.

By Representatives Tucker and Miers—

HB 1724—A bill to be entitled An act relating to Leon county, felony court of record; establishing a felony court of record in and for Leon county; prescribing the criminal jurisdiction of the court, terms, practice and procedure; providing for the appointment, election, qualification, term, duties and compensation of the judge of the felony court of record; providing that the clerk of the circuit court of Leon county shall be the clerk of the felony court of record and as such officer shall perform all duties required by law; providing that the sheriff of Leon county shall be the executive officer of the felony court of record and that he shall as such officer perform all the duties required by law; providing that the state attorney for the second (2nd) judicial circuit of Florida shall be the prosecuting officer of this court and he shall perform all duties required by law; providing that criminal cases shall be tried by a jury unless waived, and that jurors shall be selected and served the same as jurors in the circuit court; providing how and in what manner appeals may be taken from such felony court of record; providing for the repeal of all laws in conflict herewith; and providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gorman and others—

HB 2235—A bill to be entitled An act relating to Orange County; providing for the creation of courts to be known as magistrate's courts in each justice of the peace district of Orange County; prescribing terms, elections to provide for the jurisdiction of the magistrate's courts; providing that said courts be courts of record and have a seal; providing for the

rules of procedure and process; providing for the issuing of process; providing for the execution of process; providing for a prosecutor; providing for a clerk and deputy clerks; providing for terms of the magistrate's courts; providing for disposition of fees and fines and payment of court expenses; providing for the place of holding court; providing that the justice of the peace in each district of Orange County shall be ex officio magistrate of the magistrate's courts in his district; providing for the duties, powers and obligations of the magistrate; providing for the method of prosecution; providing for voluntary pleas of guilty; providing for an executive officer; providing for compensation of magistrates; providing for a court reporter; providing for appeals from magistrate's courts; providing other applicable laws; providing for the repeal of conflicting or inconsistent laws; providing for legislative intent; providing for collection of fines by constable; providing for compensation of constables; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Reeves and others—

HB 2288—A bill to be entitled An act relating to The City of Pensacola, Escambia County; amending Section 24 of Chapter 15425, Laws of Florida, Special Acts 1931, relating to the qualifications and duties of the Director of Law of The City of Pensacola; repealing clause and effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 2274—A bill to be entitled An act relating to Escambia County; amending portions of chapter 67-1370, Laws of Florida, relating to the civil service board, to include certain job titles under exemptions from the classified service; providing that personnel provisionally appointed due to an insufficient reemployment or employment list be credited five (5) points on subsequent examination for the position held; providing that district school board employees may be reimbursed for one half of their accrued sick leave upon retirement; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Nichols and others—

HB 2270—A bill to be entitled An act amending Section 19.05 of Chapter 67-1320, Laws of Florida, as amended, being the Charter of the Consolidated City of Jacksonville, by exempting from the Civil Service System certain employee positions in the Duval County School Board, the Data Processing Division, the Recreation and Public Affairs Department, the Jacksonville

Electric Authority, and the Duval County Hospital Authority; providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 2206—A bill to be entitled An act relating to the City of Pensacola, Escambia County; providing a system for the notification and protest by property owners affected by a zoning change; providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 2207—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending §1 of chapter 6087, Laws of Florida, 1909, adding the words "professions" and "businesses" with regard to the levy of license taxes; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Tittle—

HB 2170—A bill to be entitled An act relating to the City of Key West, Monroe County; authorizing, directing and requiring the city commission of the City of Key West, to continue the levy of taxes as required by chapter 27654, Laws of Florida, 1951, and any amendments thereto, after the closing of the public hospital owned by Monroe County situated at Stock Island, Florida, until all the outstanding indebtedness incurred in the operation of said hospital has been paid; declaring legislative intent; repealing all laws and parts of laws in conflict with this act to the extent of such conflict; providing an effective date.

Proof of Publication attached.

By Representative Tittle—

HB 2174—A bill to be entitled An act relating to Monroe County; authorizing, directing and requiring the board of county commissioners of said county to levy an annual ad valorem tax not to exceed two and one fourth (2¼) mills on the dollar for the maintenance and operation of the county-owned hospital situated at Stock Island, and to continue the levy of said taxes after the closing of said hospital until all the outstanding indebtedness incurred in the operation of said hospital has been paid; declaring legislative intent; repealing all laws and parts of laws in conflict with this act to the extent of such conflict; providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

HB 2237—A bill to be entitled An act relating to Orange County; setting the fees to be charged by constables for service of summons and subpoenas; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Lancaster—

HB 2268—A bill to be entitled An act relating to Levy County; amending the charter of the Town of Bronson, Levy County; amending §12 of chapter 63-1147, Laws of Florida, to set terms of office of elected officials; amending §14 of chapter 27423, Laws of Florida, 1951, providing for dates of election of town officers; amending §18 of chapter 27423, Laws of Florida, 1951, providing for appointment of town attorney; providing for a referendum.

By Representative Lancaster—

HB 2287—A bill to be entitled An act relating to Levy County; making it lawful to possess stone crabs for personal consumption at all times in said county; providing an effective date.

Proof of Publication attached.

By Representative Lancaster—

HB 2286—A bill to be entitled An act relating to Levy County; authorizing the sheriff of said county to buy, and the division of corrections of the department of health and rehabilitative services to sell, canned goods, foodstuffs, and produce to said sheriff and any school lunchroom, jail, or stockade within the county; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Johnson and others—

HB 2232—A bill to be entitled An act relating to Sarasota County; amending subsection 12(c) of Chapter 31264, Laws of Florida, Special Acts of 1955, as amended, providing that the planning commission and the governing body may approve a request to amend or supplement a district subject to certain conditions, restrictions, stipulations and safeguards, and providing that same shall be deemed contractual and enforced by appropriate relief; providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 2276—A bill to be entitled An act relating to Sarasota county, Florida, amending Chapter 69-1595, Laws of Florida, Special Acts of 1969, relating to the construction, acquisition, ownership, maintenance and operation of water and sewer systems in said county; amending section 7 of said act relating to the powers of the county in connection with such water and sewer systems; amending subsection (3) of section 9 of said act relating to the pledging of gross revenues for the payment of bonds and the interest thereon; amending section 14 of said act relating to the collection and enforcement of charges for the services and facilities of such water and sewer systems; amending section 18 of said act relating to the pledge of surplus revenues from other undertakings, utilities or public works or of county non-ad valorem funds; amending section 22 of said act relating to the lease or management of water and sewer systems; amending subsection (9) of section 23 of said act relating to the levy, collection, enforcement and financing of special as-

assessments against lands benefited by the construction of water and sewer improvements; amending section 24 of said act relating to services of the water and sewer systems rendered to the county; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Reeves and others—

HB 2210—A bill to be entitled An act relating to The City of Pensacola, Escambia County, amending Section 1 of Chapter 69-1467, Laws of Florida, allowing employment in the classified service of The City of Pensacola up to and including the age of forty-five (45) years with pension benefits, excepting the police and fire divisions, repealing clause and providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 2211—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending §4 of chapter 15425, Laws of Florida, 1931; providing for a qualification fee of fifty dollars (\$50) for candidates for the city council; providing an effective date.

Proof of Publication attached.

By Representative Reeves and others—

HB 2213—A bill to be entitled An act relating to the City of Pensacola, Escambia County; amending §5 of chapter 15425, Laws of Florida, 1931; providing for meetings of council; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Reeves and others—

HB 2278—A bill to be entitled An act relating to Escambia County; relating to water systems, water system improvements; sewage disposal systems, sewer improvements, related facilities, or improvements or additions thereto, as such terms are defined in Chapter 153, Florida Statutes; providing for the acquisition, operation, enlargement, maintenance and repair of such water and sewer systems and facilities by Escambia County in a combined system or systems in the manner provided by law; providing for the transfer by the City of Pensacola to Escambia County of all such systems, facilities and improvements, and all real and personal property, equipment, machinery and supplies acquired for such purposes and used in connection therewith, including related easements franchises and other intangible rights and property; providing for transfer of employees of the

City of Pensacola engaged in the operation and administration of such systems and facilities to Escambia County; providing for transfer of such employees from the City of Pensacola personnel system to the Escambia County personnel system; providing for protection of retirement and pension rights and for election to join the State pension and retirement system; providing for preservation and protection of the rights of the holders of outstanding bonds and-or revenue certificates or other obligations issued by the City of Pensacola to finance portions of such systems and facilities and for other purposes; providing for the issuance of revenue bonds and-or revenue certificates and other obligations to finance water and sewer systems and improvements thereto and to refinance outstanding debts incurred for such purposes; authorizing Escambia County to levy special assessment upon property benefiting from construction or enlargement of such systems or facilities; providing for the acquisition of property through exercise of the power of eminent domain; authorizing Escambia County to fix rates and collect fees and charges for the use of such systems or facilities; providing that such systems and facilities and any such revenue bonds or other obligations will be exempt from taxation; providing for the adoption by Escambia County of certain ordinances of the City of Pensacola related to the subject matter hereof; providing for the assumption by Escambia County of the obligation to satisfy certain of the outstanding indebtedness of the City of Pensacola related to such systems or facilities; providing for establishment of water and sewer service districts and for reasonable classification of rates for use of such facilities; providing for related powers and duties of Escambia County; amending and modifying the Charter of the City of Pensacola; amending, repealing and modifying ordinances of the City of Pensacola; amending, repealing and modifying certain of the Laws of Florida providing for related matters; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gallen—

HB 2284—A bill to be entitled An act relating to Manatee County, Florida; to be known and cited as the "Manatee County Free Public Library Act;" authorizing the Board of County Commissioners of Manatee County to establish, operate, and maintain a free public library or a free public library service for Manatee County, including free library service for residents of the various municipalities of Manatee County; providing for the appointment of a Manatee County Library Board; providing for terms of office for the members of the Manatee County Library Board; providing for the organization and authority of said library board; authorizing said library board to establish rules and regulations and to employ employees and fix the salaries, duties, and compensation of such employees; requiring the filing by the said library board with the Board of County Commissioners and the City Councils of Manatee County of budgets and annual reports; authorizing the said library board to enter into contracts and agreements with municipalities or non-profit corporations or associations; providing that property, real or personal acquired pursuant to this act shall remain the property of Manatee County; authorizing said library board to receive and accept gifts, bequests, devises, grants, and/or payments of monies; providing that any monies received by said library board shall be turned over to the Board of County Commissioners and deposited in the County Free Library Fund; providing that after the establishment of a free public library or a free library service under this act and after the organizational meeting of said library board, all new employees of the Manatee County Free Public Library or Manatee County Free Library Service shall be county employees and entitled to all rights and benefits as

such; providing that all other employees who are employees of any municipality shall continue to be entitled to retirement, pension, and/or any other benefits as if they continued to be employees of the said municipality; authorizing the Board of County Commissioners to levy an annual tax not exceeding one mill, on all taxable property within Manatee County; authorizing the use of up to one-half mill for operating funds and up to one-half mill for capital improvement for the free library service; providing for the establishment of the County Free Library Fund; providing for the payment of expenses incurred by said library board; authorizing the Board of County Commissioners of Manatee County to issue bonds for the purpose of paying for capital improvements for the Free Public Library or Free Library Service; providing that any library board existing in Manatee County under the provisions of Section 150.03 of the Florida Statutes at the time of the establishment of a free public library or free public library service under the provisions of this act shall cease to exist; providing for the continuation and existence as advisory boards of any library boards of any municipalities; providing for a referendum; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Mooney and others—

HB 2243—A bill to be entitled An act relating to Orange County; creating and establishing the office of one additional judge of the juvenile court of Orange County; providing for the appointment, election and compensation of such additional judge; providing for a method of succession to any vacancies which might occur in the office of such additional judge; providing for a presiding judge of the juvenile court of Orange County and defining responsibilities thereof; authorizing the adoption of local rules of practice and procedure to be followed in the juvenile court of Orange County; providing an effective date.

Proof of Publication attached.

By Representative Earle and others—

HB 2244—A bill to be entitled An act relating to Seminole County, small claims court; amending sections 1, 2, 3, 4, 7, and 16 of chapter 26598 (No. 119), Laws of Florida, 1951; providing for jurisdiction and fees; providing for a four (4) year term of office; providing salary for the judge, clerk and deputy clerks; providing for payment of court expenses; prohibiting said judge of the small claims court from engaging in any other business during his term of office; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gallen—

HB 2252—A bill to be entitled An act relating to Cedar Hammock Fire Control District in Manatee County, Florida: amending Section 2 of Chapter 57-1546, Acts of 1957 by supplementing the power and authority of the District Commissioners for Cedar Hammock Fire Control District to employ a secretary-treasurer; providing for compensation for Secretary-Treasurer; fixing term of office for Secretary-Treasurer; and further amending Section 12 of said act to provide for biennial audits of the records of Cedar Hammock Fire Control District by a Certified Public Accountant; and providing an effective date.

Proof of Publication attached.

By Representative Hazelton and others—

HB 2224—A bill to be entitled An act relating to Palm Beach County and incorporated municipalities within Palm Beach County, providing for notice of rezoning applications by the governing body considering rezoning to any other governmental agency whose jurisdiction lies within one thousand feet of the property to be rezoned; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Caldwell—

HB 872—A bill to be entitled An act relating to Broward County, Florida; providing for permanent office space for the legislative delegation; authorizing the board of county commissioners of Broward County to provide the legislative delegation with permanent office space or offices, in one or more locations in the county, as to be determined by the legislative delegation, together with furnishings, supplies, telephone service, legal and secretarial assistants; providing for the payment of expenses necessary for maintenance of the office or offices from county funds, and all other expenses necessary and proper; making such expenditures a county purpose; providing that this act shall be cumulative; providing for an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Moudry and others—

HB 2295—A bill to be entitled An act relating to Palm Beach County, legislative expense fund; authorizing the legislative delegation from said county to employ a staff to aid them in properly representing their county; requiring the county commissioners of said county to provide office facilities and disburse legislative expense funds; providing an effective date.

Proof of Publication attached.

By Representative Murphy and others—

HB 1754—A bill to be entitled An act relating to Pinellas County, authorizing fresh and continuous pursuit and arrest by municipal police officers of any municipality in Pinellas County; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Caldwell—

HB 1336—A bill to be entitled An act relating to the addition of two judges to the bench of the Court of Record, in and for Broward County, Florida; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By the Committee on Business Regulation—

HB 2403—A bill to be entitled An act relating to beverage licenses; repealing chapter 61-2532, Laws of Florida, relating to a limitation on certain alcoholic beverage licenses in Nassau County; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Savage and others—

HB 1744—A bill to be entitled An act relating to Pinellas County; providing that certain powers granted in Chapter 167, Florida Statutes, shall apply to all municipalities in Pinellas county; providing an effective date.

Proof of Publication attached.

By Representative Moudry and others—

HB 2296—A bill to be entitled An act authorizing the issuance of a beverage license to the city of West Palm Beach to

be used in connection with its municipal auditorium; providing that such license shall be transferable only to the concessionaire of the space allotted for a restaurant and cocktail lounge in the said Municipal Auditorium who shall operate a business under such beverage license; providing that such license shall not be subject to any quota or limitation pertaining thereto, but shall be an exception to any such quota or limitation; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Nichols and others—

HB 2196—A bill to be entitled An act amending section 7.403 of the charter of the City of Jacksonville, being chapter 67-1320, Laws of Florida, as amended, so as to convert the public health division of the health, welfare and bio-environmental services department into and to establish same as a full-time local health unit under the provisions of chapter 154, Florida Statutes, with certain modifications; preserving and setting forth the rights of present personnel of said division who are under the civil service and pension system of said city and providing for those who may elect to become members of the state career service system; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Nichols and others—

HB 2197—A bill to be entitled An act relating to the City of Jacksonville, amending Section 13.102, Chapter 67-1320, Laws of Florida, as amended, the Charter of the City of Jacksonville; providing for the non-partisan election of the judges of the county judges' court of Duval County, the criminal court of record of Duval County, the juvenile court of Duval County, and the small claims court and the justices of the justice of the peace courts of Duval County; providing for the conduct of non-partisan elimination primaries and general elections; providing an effective date,

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By Representative Woodward—

HB 2233—A bill to be entitled An act relating to Gadsden County; providing for compensation to the prosecuting attorney of the county court; repealing all laws in conflict; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative J. R. Clark and others—

HB 2173—A bill to be entitled An act providing for the appointment of two (2) deputy constables by the constables of the third and fourth justice of the peace districts, Polk County; providing an effective date.

Proof of Publication attached.

By Representative Thomas and others—

HB 2307—A bill to be entitled An act amending Chapter 61-1969, Laws of Florida, Special Acts of 1961, as amended by Chapter 63-1186, Laws of Florida, Special Acts of 1963, as amended by Chapter 65-13137, Laws of Florida, Special Acts of 1965, authorizing the Governing Board of Water Management Districts to levy and collect special assessments on property benefited by the construction or acquisition of systems or improvements authorized by said Acts and to issue assessment bonds to be paid from the monies collected as a result of the levy of such special assessments; providing a savings clause, repealing all acts in conflict herewith; and for other related purposes.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative H. W. Matthews and others—

HB 2087—A bill to be entitled An act relating to Orange County, clerk of the circuit court; prohibiting marginal entries on records of instruments filed for record in the office of the clerk of the circuit court; providing for the making and recording of separate instruments containing any matter heretofore required or permitted to be entered upon the margins of such records; providing an effective date.

Proof of Publication attached.

By Representative Andrews and others—

HB 2229—A bill to be entitled An act relating to the City of Gainesville, amending section 13(e) of chapter 12760, Laws of Florida 1927, by eliminating from the procedure relating to

Municipal Court the provision which states "which trial shall be without jury", and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gallen—

HB 2289—A bill to be entitled An act relating to the Samoset Fire Control District, special assessments and charges; amending section 4 of Chapter 56-1544, Acts of 1957, as heretofore amended; increasing the maximum assessment which may be levied against a business building to \$25.00 per annum; against subdivided or unsubdivided parcels to \$40.00 per annum; against duplexes to \$15.00 per annum; providing for a special assessment against taxable real estate of which mobile homes are located; limiting maximum assessment which may be levied against real estate on which mobile homes are located to \$5.00 per annum per space; providing for a special assessment against vacant real estate used temporarily or permanently for vehicular or trailer storage; limiting maximum assessment which may be levied against vacant real estate for such storage to \$2.00 per annum per space for four-wheeled or larger vehicles or trailers and \$.25 per annum per space for all smaller vehicles or trailers; and providing an effective date.

Proof of Publication attached.

By Representatives Harlee and Gallen—

HB 2310—A bill to be entitled An act providing for the City of Palmetto to work prisoners of the County of Manatee and providing an effective date.

Proof of Publication attached.

By Representative Johnson and others—

HB 2300—A bill to be entitled An act relating to the Sarasota-Manatee Airport Authority; repealing Chapters 70-939 and 70-1005, Laws of Florida, relating to the composition of the Authority; amending Section 3 of Chapter 31263, Laws of Florida, 1955, as amended, to provide that the Authority shall consist of four (4) members elected on nonpartisan ballots during the 1972 primary elections, with two (2) members residing in, and elected by the electors of, each of the Counties of Manatee and Sarasota; providing for abolishment of the present membership of the Authority effective January 1973; and providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Sessums and others—

HB 2282—A bill to be entitled An act relating to Hillsborough County; providing for filing fees in the circuit court of

Hillsborough County and appropriation of certain funds from the compensation of the clerks of the circuit court of Hillsborough County and courts of record of Hillsborough County; appropriating and authorizing the appropriation of certain amounts therefrom for maintenance of a law library; regulating same; making expenditures therefor a county purpose; providing an effective date.

Proof of Publication attached.

By Representative Powell and others—

HB 2246—A bill to be entitled An act relating to Indian River County; amending chapter 61-2275, Laws of Florida, abolishing and recreating a special tax district designated as Indian River County hospital district, as amended by chapters 63-1432, 65-1708, 67-1515 and 67-1516; providing a definition of activities carried on by the board of trustees of said district; authorizing travel and other authorized expenses by members of the board of trustees; authorizing the board of trustees to establish reasonable rules and regulations governing conduct of professional sitters; providing that all payments against funds of the district shall be approved by the board of trustees and providing that any item costing more than one thousand dollars (\$1,000) shall be purchased through competitive bidding; deleting provision requiring submission of annual statement to the county commissioners; authorizing outstanding bonds of said district in an amount not to exceed ten million dollars (\$10,000,000) with a maximum amount of interest of ten percent (10%) per annum; deleting provision requiring annual publication of statement showing financial conditions of the district; authorizing the establishment and operation of a retirement program for hospital employees and permitting withdrawal from the state and county officers and employees retirement system; authorizing amounts of money that can be borrowed by the district without issuing bonds up to a maximum outstanding amount of ten million dollars (\$10,000,000) at a maximum rate of interest of ten percent (10%) per annum and providing a referendum therefor; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Sessums and others—

HB 2216—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending §2(b) of chapter 67-2124, Laws of Florida, to provide that members of the arts council of said city be qualified electors of Hillsborough County; providing an effective date.

Proof of Publication attached.

By Representative Sessums and others—

HB 2281—A bill to be entitled An act relating to Hillsborough County, pollution control commission; amending section 7 of chapter 67-1504, Laws of Florida, to provide for the appointment and compensation of the pollution control director; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Craig—

HB 2293—A bill to be entitled An act relating to the City of Palatka, Putnam County; amending section 45, chapter 9875, Laws of Florida, 1923, requiring the appointment of the city treasurer to be made by the city commission, to serve at the pleasure of the city commission; providing an effective date.

Proof of Publication attached.

By Representative Craig—

HB 2292—A bill to be entitled An act relating to the City of Palatka, Putnam County; amending section 31, chapter 9875, Laws of Florida, 1923; providing for the composition of the fire force of the city, how the members thereof shall be appointed, and specifying that the number of members of the fire force of the city shall be prescribed by the city commission; providing an effective date.

Proof of Publication attached.

By Representative Craig—

HB 2291—A bill to be entitled An act relating to the City of Palatka, Putnam County; providing an additional and alternative method of procedure for extending the corporate limits of the City of Palatka; providing the procedure therefor, and certain privileges and immunities to be enjoyed by the owners of property annexed hereunder to the City of Palatka; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Westberry and others—

HB 1641—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for an additional beverage license for the Jacksonville Beach Lodge No. 1558, Loyal Order of Moose, Inc., of Jacksonville Beach, Florida; providing for the waiver of the term of existence of the licensee; providing an effective date.

Proof of Publication attached.

By Representative Westberry and others—

HB 1642—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for an additional beverage license for the Fraternal Order of Firemen of Jacksonville, Florida; providing for the waiver of the term of existence of the licensee; providing an effective date.

Proof of Publication attached.

By Representatives Chapman and Rish—

HB 1539—A bill to be entitled An act relating to Bay County; repealing chapter 61-1872, Laws of Florida, relating to speckled trout, bag limit, size and method used to catch same; providing an effective date.

Proof of Publication attached.

By Representatives Chapman and Rish—

HB 1540—A bill to be entitled An act relating to Bay County; amending chapter 19694, Laws of Florida, 1941, as amended by chapter 63-1112, Laws of Florida; providing for net fishing in Phillips Inlet or Lake Powell for the period of time from October 1 each year through February 28 of the following year; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Gallen and Harllee—

HB 2250—A bill to be entitled An act relating to the City of Wauchula, Hardee County, Pension System for certain officers and employees, amending Section 5 of Chapter 26300, Laws of Florida, 1949, as amended by Chapter 27969, Laws of Florida, 1951, and Chapter 59-1965, Laws of Florida, House Bill No. 1592, Laws of Florida 1969; amending Section 5 Paragraph 4 of Chapter 59-1965, Laws of Florida; and Chapter 65-2377, Laws of Florida 1965, providing that employees having twenty-five (25) years' continuous service with said City shall be eligible for retirement; providing that certain employees who have reached sixty (60) years of age shall be eligible for retirement; providing that said employees shall receive a certain monthly sum in relation to their monthly salaries; providing payments to spouse in case of death of employee having ten (10) years service or more; providing an effective date.

Proof of Publication attached.

By Representative Gorman and others—

HB 2294—A bill to be entitled An act relating to the City of Altamonte Springs, Seminole County, amending its charter, being chapter 67-1079, Laws of Florida, by amending section 1, article V; providing that the fiscal year shall begin October 1 and end September 30 of each year beginning in the year 1971; providing an effective date.

Proof of Publication attached.

By Representatives Walker and Randell—

HB 2187—A bill to be entitled An act relating to Hendry County, Clewiston Drainage District; transferring certain lands known as Ridgeview Estates, from unit 2 of said district to unit 1, thereby changing the degree of service to the lands from second to first priority; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Gorman and others—

HB 2272—A bill to be entitled An act relating to Orange County; creating and establishing a civic facilities authority

in said county as a public body corporate and politic for the purpose of planning, developing, constructing, acquiring, owning, reconstructing, extending, enlarging, repairing, improving, relocating, equipping, maintaining and operating facilities and sites for the holding of conventions and expositions, and civic, cultural, recreational, athletic and similar events and activities; providing for the method and manner of the appointment of and terms of the authority's membership; providing for removal of members; providing for its organization, powers, functions, financing, privileges, duties, and responsibilities; providing for competitive bidding in certain instances; authorizing condemnation in certain instances; providing definitions; providing for the issuance by the authority of revenue bonds to carry out the purposes of this act; providing for the rights and remedies of bondholders; providing authority to enter into bond resolutions, deeds of trust, indentures or other agreements; providing effective date of pledge of authority; excluding personal liability on bonds; providing for sources of revenues for paying for said authority and facilities and operation thereof and for paying for said revenue bonds, including revenues of the facilities, certain portions of the proceeds of certain excise taxes received by governmental units in Orange County, and other legally available revenues; providing that bonds shall not be a debt or a pledge of the faith and credit of the county or any other governmental unit in Orange County; providing for tax exemptions; providing for issuance of notes of the authority; providing for repurchase and refunding of the bonds of the authority; authorizing appropriations by the county and other governmental units in Orange County for operation and maintenance of said facilities; providing for public or private subscriptions; repealing of chapter 69-1382, Laws of Florida, relating to the same subject; providing for inapplicability of inconsistent laws; providing a severability clause; providing this act is an alternative method; providing for liberal construction; providing an effective date.

Proof of Publication attached.

By Representative Sims and others—

HB 2306—A bill to be entitled An act relating to the City of Winter Garden, Orange County; amending section 8 of article 1 of chapter 61-3004, Laws of Florida; redefining the corporate limits of said city by including therein certain lands annexed subsequent to the adoption of the charter of said city; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Walker and Randell—

HB 2192—A bill to be entitled An act relating to Hendry County; authorizing the district school board, the board of county commissioners, the city commission of any municipality in Hendry County, the Hendry County sheriff's department and the Hendry County Hospital Authority to buy from the division of corrections of the department of health and rehabilitative services; authorizing said division to sell to said boards, city commissions, sheriff's department and authority, masonry products, food stuffs, metal products, canned goods and any and all other products and services produced by the division or institutions under its supervision; eliminating any requirement of general or special law requiring bids in making such purchases; providing an effective date.

Proof of Publication attached.

By Representatives Walker and Randell—

HB 2194—A bill to be entitled An act relating to Hendry County; repealing chapters 9411 and 9455, 1923; chapters

10679, 10681 and 11246, 1925; chapter 12824, 1927; chapters 24261, 24552 and 24553, 1947; chapters 30491 and 30492, 1955; chapter 57-1362, 1957; chapters 59-766 and 59-1334, 1959; chapter 67-1444, 1967; chapter 69-1095, 1969, all Laws of Florida; providing an effective date.

Proof of Publication attached.

By Representatives Walker and Randell—

HB 2308—A bill to be entitled An act relating to the Hendry County hospital authority; amending sections 14 and 15 of chapter 67-1446, Laws of Florida, relating to tax levies; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Lancaster—

HB 2285—A bill to be entitled An act relating to Levy County; providing that the board of county commissioners of Levy County may make purchases at current market prices for an aggregate amount in any one calendar year of not more than twenty-five hundred dollars (\$2500) without being subject to prosecution under §§839.08 and 839.09, Florida Statutes, relating to the purchase of supplies from certain persons; authorizing the board of county commissioners to make purchases for county purposes not to exceed one thousand dollars (\$1,000) without bids; providing an effective date.

Proof of Publication attached.

By Representative Lancaster—

HB 646—A bill to be entitled An act relating to the Town of Wellborn, Suwannee County; incorporating said municipality and defining its territorial boundaries; providing for its government, powers, franchise, privileges, and jurisdiction; providing an effective date subject to a referendum.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Lancaster—

HB 2267—A bill to be entitled An act relating to Gilchrist County; creating the Gilchrist County medical board consisting of five (5) members; providing for the nomination, appointment, powers and duties of the board; providing for a medical advisory committee; authorizing the board to furnish medical services through licensed physicians and physician's assistants and other personnel; authorizing the board to provide administrative personnel and facilities; providing for the acquisition of real property for the use of the board and authorizing the board of county commissioners of Gilchrist County to purchase property for the use of the medical board; authorizing the payment

thereof in installments and authorizing the use of existing county facilities by the medical board; providing a portion of the racetrack funds accruing to Gilchrist County for the use and expenditures of the board by amending chapter 67-985, Laws of Florida, section 1; providing that the functions of the medical board are deemed for public purpose and that the participation of the board of county commissioners is for a county purpose; providing an effective date.

Proof of Publication attached.

By Representative Chapman—

HB 2275—A bill to be entitled An act relating to Bay County school construction; providing for the acquisition, construction, and erection of a new high school for Bay County, and the furnishing and equipping of said school by the school board of Bay County; authorizing the issuance of certificates of indebtedness payable from certain racetrack funds accruing annually to the school board of Bay County, under general and special acts of the Florida legislature, and all amendments hereinafter enacted thereto, for the purpose of paying the costs of such a project; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Mooney and others—

HB 2240—A bill to be entitled An act relating to Orlando, Orange County; establishing the Orlando central city neighborhood development board as a body corporate; prescribing the boundaries of the Orlando central city neighborhood development area; prescribing the number, qualifications, term, and methods of appointment and removal of members; providing for filling vacancies in office, for service without compensation, for reimbursement of expenses, for bonding, and for personal liability in certain instances; providing for bylaws and internal governance of the board, prescribing its functions and powers, including powers to acquire, own, lease, and dispose of property, to request the City of Orlando to exercise its eminent domain power for public purposes; to issue, sell, and provide security for revenue certificates, to borrow on short term, to fix, regulate, and collect rates and charges, to maintain offices, to employ and prescribe the duties, authority, tenure, compensation, and expense reimbursement of a director and other staff, and to exercise all necessary incidental powers; prescribing for the city to levy in each fiscal year an ad valorem property tax of not more than one (1) mill to finance board operations; providing for assessment and collection thereof by the city; subject to compensation to it for services rendered to the board; requiring maintenance of records, budget and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; providing for succession by the city to the property and certain functions of the board if it ceases to exist or operate; regulating issuance of board revenue certificates; prescribing scope of this act; providing for a freeholders election; providing for its liberal construction, and severability; providing an effective date.

Proof of Publication attached.

By Representative Gibson and others—

HB 2241—A bill to be entitled An act relating to Orange County; amending section 11 of chapter 59-1651, Laws of Florida, giving the fire control board of each district the power by majority vote to adopt or reject the provisions of said chapter; providing an effective date.

Proof of Publication attached.

By Representative Gorman and others—

HB 2242—A bill to be entitled An act relating to Orange County; amending section 9 of chapter 67-1821, Laws of Florida, providing powers of fire control commission and adding power to jointly purchase, own, repair, maintain and store special equipment jointly with other fire control districts, and to enter into any joint venture with another fire control district within the scope of this act; repealing section 18 of chapter 67-1821, Laws of Florida, relating to retirement of fire control district officers and employees; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Nichols and others—

HB 1623—A bill to be entitled An act creating an additional county judge for Duval County, fixing the maximum number of county judges; providing for election, appointment, term of office; providing for compensation, appropriation, limitations, duties, and the administration of the county judges court; providing an effective date.

Proof of Publication attached.

By Representative Nichols and others—

HB 2198—A bill to be entitled An act amending Section 9 of Chapter 67-1569, Laws of Florida, as amended, being the Charter of the City of Jacksonville, providing for \$10,000.00 accidental death benefits for employees of the Jacksonville Electrical Authority; providing an effective date.

Proof of Publication attached.

By Representative Mattox and others—

HB 2248—A bill to be entitled An act amending Sections 27, 29, 32, 38, and 40, of the original Charter of the Town of Dundee, Florida, appearing in Chapter 11468, Laws of Florida 1925; creating a municipal court for the Town of Dundee, Florida; providing an effective date therefor.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representative Craig—

HB 2222—A bill to be entitled An act relating to the City of Flagler Beach, Flagler County; amending chapter 63-1834, Laws of Florida; fixing the boundaries of the city by extending the city limits and territorial boundaries of the City of Flagler Beach, to annex and include contiguous lands and premises; providing that such annexed territories shall be subject to the charter of the city, and all amendments thereto, and all general

and special laws applicable to the city, and to all ordinances, resolutions and laws of the city; subjecting the said land and territory so annexed to the jurisdiction, obligations, benefits and privileges of the city; providing an effective date.

Proof of Publication attached.

By Representatives Tucker and Miers—

HB 2217—A bill to be entitled An act relating to Leon County; setting forth the duties of the official court reporter more specifically; providing that circuit judges have the authority to establish a uniform schedule of fees for appearance and transcripts; making further provisions with respect thereto; providing an effective date.

Proof of Publication attached.

By Representatives Miers and Tucker—

HB 2225—A bill to be entitled An act relating to Leon County; amending sections 1, 3, and 8 of chapter 59-622, Laws of Florida, as amended by chapter 63-1010, Laws of Florida; providing an increase in jurisdiction of the small claims court; providing an increase in judge's compensation; providing an increase in fees; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Evidence of notice and publication was established by the Senate as to House Bills 2298, 2299, 2247, 2163, 2165, 2290, 2179, 2182, 1584, 2235, 2288, 2274, 2270, 2206, 2207, 2170, 2174, 2237, 2287, 2286, 2232, 2276, 2210, 2211, 2213, 2278, 2243, 2244, 2252, 2224, 872, 2295, 1754, 1336, 1744, 2296, 2196, 2197, 2233, 2173, 2307, 2087, 2229, 2289, 2310, 2300, 2282, 2216, 2281, 2293, 2292, 2291, 1641, 1642, 1539, 1540, 2250, 2294, 2187, 2272, 2306, 2192, 2194, 2308, 2285, 2267, 2275, 2240, 2241, 2242, 1623, 2198, 2248, 2222, 2217 and 2225.

House Bills 2298, 2299, 2247, 2163, 2165, 2290, 2179, 2182, 1584, 1724, 2235, 2288, 2274, 2270, 2206, 2207, 2170, 2174, 2237, 2268, 2287, 2286, 2232, 2276, 2210, 2211, 2213, 2278, 2284, 2243, 2244, 2252, 2224, 872, 2295, 1754, 1336, 2403, 1744, 2296, 2196, 2197, 2233, 2173, 2307, 2087, 2229, 2289, 2310, 2300, 2282, 2246, 2216, 2281, 2293, 2292, 2291, 1641, 1642, 1539, 1540, 2250, 2294, 2187, 2272, 2306, 2192, 2194, 2308, 2285, 646, 2267, 2275, 2240, 2241, 2242, 1623, 2198, 2248, 2222, 2217 and 2225, contained in the above messages, were read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

By Representatives Walker and Randell—

HB 1905—A bill to be entitled An act designating and naming a portion of state road S-951 in Collier County as Frank Road; designating portions of state roads S-951 and S-951A in said county as Goodlette Road; providing for suitable markers; providing an effective date.

By Representative Westberry and others—

HB 1624—A bill to be entitled An act relating to alcoholic beverage licenses in Duval County; providing for an additional beverage license for the Non-Commissioned Officers Club of

the Florida Air National Guard at Jacksonville, Florida; providing for the waiver of the term of existence of the licensee; providing an effective date.

Proof of Publication attached.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1905, contained in the above message, was read the first time by title and referred to the Committee on Transportation.

Evidence of notice and publication was established by the Senate as to HB 1624.

HB 1624, contained in the above message, was read the first time by title and referred to the Committee on Rules, Calendar, Privileged Business and Ethics.

The Senate recessed at 8:45 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—47:

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Sayler
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

Excused: Senator Brannen.

Prayer by Senator Weber:

As any successful man will attest, the road to achievement is often paved with defeat and discouragement. Victory is not always the reward of the virtuous and defeat is not always the lot of those deserving it. The only way to make progress is to learn by one's mistakes, to accept philosophically those unavoidable brushes with defeat and to face each setback with courage and equanimity.

The next time you find yourself brooding in the loser's circle, here are some hard facts to remember: Cy Young pitched 511 winning ball games, but he lost 315; Ty Cobb stole 96 bases in one season, but he was thrown out 38 times; Babe Ruth hit 714 homers, but he struck out 1330 times.

On the ball field or in the legislature, you don't have to win 'em all. You only have to win the ones that count. Amen.

The Journal of May 26 was corrected and approved as follows:

Page 551, counting from the bottom of column 1, line 16, before "and" insert: passed

Page 557, counting from the bottom of column 2, strike lines 1 through 6

Page 558, column 1, strike lines 1 through 7 and 15 through 20

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Thursday, May 27, 1971:

SB 789	SB 1439
SB 1186	SB 1241

CS for HB 794
SB 324
SB 868
SB 1032
SB 808
SB 1296
SB 982
SB 1184
HB 737
SB 1399
CS for HB 1255
SB 1133
SB 431
SB 1500
SB 495
SB 612
SB 1397

SB 826
CS for HB's 706, 513, 516
SB 1285
SB 308
HB 1820
CS for CS for SB 778
SB 1242
CS for SB 749
HB 1068
SB 434
SB 1111
SB 40
SB 100
SB 1343
SB 964
SB 866

George L. Hollahan, Jr.
Chairman, Committee on Rules,
Calendar, Privileged Business and
Ethics

The Committee on Health, Welfare and Institutions recommends the following pass: HB 480 with 1 amendment, HB 306

The Committee on Commerce recommends the following pass: SB 1410 with 2 amendments, HB 603

The Committee on Public Schools recommends the following pass: HB 1693

The Committee on Transportation recommends the following pass: HB 1545 with 1 amendment

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Transportation recommends the following pass: SB 1595

The bill was referred to the Committee on Governmental Efficiency under the original reference.

The Committee on Health, Welfare and Institutions recommends the following pass:

HB 655	HB 910	SB 1161	SB 1499
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The Committee on Public Schools recommends the following pass: SB 1492

The Committee on Universities and Community Colleges recommends the following pass: SB 1412 with 9 amendments

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends a Committee Substitute as offered by the Committee on Governmental Efficiency for HB 772.

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Transportation recommends a Committee Substitute for SB 391.

The Committee on Public Schools recommends a Committee Substitute for CS for HB 895.

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Commerce recommends the following not pass:

HB 1	SB 448	SB 1048
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The bills were laid on the table.

May 26, 1971

Dear Senator Friday:

Attached hereto is a certificate listing the commission prepared today which is subject to Senate Confirmation.

With kind regards, I remain



Sincerely,

RICHARD (DICK) STONE
Secretary of State
By (Mrs.) Dorothy W. Glisson
Director
Division of Elections

Pursuant to the Provisions of Section 112.071(1), (b), Florida Statutes, we do hereby certify that the commission which is subject to Confirmation by the Senate has been prepared for the following:

NAME	OFFICE	FOR TERM ENDING
Roger L. Laney, Jr. Chipley	Member, Board of Trustees, Chipola Junior College	May 31, 1971



GIVEN under my hand and Great Seal of the State of Florida at Tallahassee, the Capital this twenty-sixth day of May, A.D. 1971.
RICHARD (DICK) STONE
Secretary of State

The President referred the appointment to the Committee on Universities and Community Colleges.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed—

SB 1530	SB 990	SB 991
SB 992	SB 1134	SB 1135
SB 1138	SB 1140	SB 1141
SB 1142	SB 1143	SB 1144
SB 1145	SB 1026	SB 1027
SB 1028	SB 1029	SB 1051
SB 1052	SB 1524	SB 1525
SB 1526	SB 1528	SB 1529
SB 1531	SB 1053	

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed by the required two-thirds vote of all members elected to the House: SB 1137, SB 1527.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee report as an entirety on—

CS for HB 377

and pursuant thereto has passed Conference Committee Substitute for CS for HB 377.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The bills, contained in the above messages, were ordered enrolled.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendments to HB 41, CS for HB 117.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has appointed Representatives Gillespie, MacKay, Birchfield, Sykes and Andrews as a Conference Committee to confer with a like committee on the part of the Senate to adjust the differences on Senate amendments to HB 1821.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By Senator Haverfield—

SB 183—A bill to be entitled An act relating to teacher retirement credit; amending section 238.06(10), Florida Statutes; providing that certain federal educational programs qualify for out-of-state service credit; providing an effective date.

Amendment 1—

On page 1 following line 29, insert the following:

Section 2. Section 238.08, Florida Statutes, is amended by adding subsection (7) to read:

238.08 Optional benefits.—A member may elect to receive his benefits under the terms of this chapter according to the provisions of any one of the following options:

(7) Upon the death, or loss by divorce, of the spouse, within five (5) years of the date of retirement, a retiree receiving benefits under the provisions of option three or option four, may request that future benefits be paid under the provisions of option two, provided there be no refund to the beneficiary upon the death of the retiree; provided further, that in no event shall total benefits to the retiree exceed the initial calculated annuity benefits for that individual. If a retiree has chosen option three or option four and loses his spouse by death or divorce and then remarries, he may request a recalculation of his benefits actuarially determined at the date of remarriage.

Renumber succeeding section.

Amendment 2—

In title, on page 1, line 8, after the semi-colon insert the following: amending section 238.08, Florida Statutes, by adding a new subsection (7);

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Haverfield moved that the Senate refuse to concur in the amendments to SB 183 and requested that a conference committee be appointed to adjust the differences existing between the two houses. The motion was adopted and the action of the Senate was certified to the House.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendments to—

By Senator Horne and others—

SB 625—A bill to be entitled An act relating to limitation of actions; amending section 95.11 (6), Florida Statutes, to provide that actions to recover damages for injuries to the person arising out of any medical, dental, chiropractic or surgical treatment or operation must be brought within two (2) years; providing an effective date.

—and requests the appointment of a conference committee.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

Senator Horne moved that the request of the House be granted and a conference committee be appointed to adjust the differences existing between the two houses. The motion was adopted.

The President appointed Senators Horne, Saunders and Wilson as the committee. The action of the Senate was certified to the House.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendment to—

By Representative Dixon—

HB 439—A bill to be entitled An act relating to salt water fish; amending section 370.11(2)(a), Florida Statutes, as amended by chapter 70-96, Laws of Florida, regulating the length of pompano, redfish and striped bass that may be taken, sold or possessed; providing an effective date.

Which amendment reads as follows:

On page 1, line 26, section 1(2)(a), following twelve inches add the following: *or greater length than thirty inches*

—and requests the Senate to recede therefrom.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Knopke, the Senate receded from the Senate amendment to HB 439.

HB 439 was read by title, passed and certified to the House. The vote was:

Yeas—37

Mr. President	Deeb	Karl	Sayler
Arnold	de la Parte	Knopke	Scarborough
Barrow	Ducker	Lane	Stolzenburg
Beaufort	Graham	Lewis (33rd)	Trask
Bell	Haverfield	Lewis (43rd)	Ware
Bishop	Henderson	McClain	Weissenborn
Boyd	Hollahan	Myers	Wilson
Brantley	Horne	Pope	
Childers	Johnson (29th)	Poston	
Daniel	Johnson (34th)	Reuter	

Nays—2

Barron Plante

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Health, Welfare and Institutions—

SB 494—A bill to be entitled An act relating to parole; amending subsection (1) of Section 947.22, Florida Statutes, providing that if any member of the probation and parole commission has grounds to believe a parolee has violated the conditions of his parole, such member may issue a warrant for the arrest of the parolee, said warrant to be returnable before a member of the commission; providing for examination of the parolee and a determination of admission to bail pending a hearing before the commission; providing an effective date.

Amendment 1—

On page 2, lines 11 & 12, strike “when he may examine such parolee and a determination made” and insert the following: *at which time a determination may be made*

Amendment 2—

On page 2, line 17, strike “supervisory” and insert the following: supervisor

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Myers, the Senate concurred in the House amendments to SB 494.

SB 494 as amended was read by title, passed and ordered engrossed. The vote was: Yeas—30 Nays—None

Mr. President	Childers	Johnson (34th)	Reuter
Arnold	Daniel	Knopke	Sayler
Barron	Deeb	Lane	Stolzenburg
Barrow	Ducker	Lewis (33rd)	Trask
Beaufort	Haverfield	Lewis (43rd)	Ware
Bishop	Henderson	McClain	Wilson
Brantley	Hollahan	Myers	
Broxson	Johnson (29th)	Poston	

By unanimous consent Senators Weissenborn, Pope, Boyd and Graham were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Health, Welfare and Institutions—

SB 493—A bill to be entitled An act relating to probation and parole; amending Section 947.16(1), Florida Statutes; providing the time within which an inmate shall be eligible for parole; providing mandatory initial interview for parole within the first six months of sentence with respect to inmates sentenced to terms of five years or less, and mandatory initial interview within first year for inmates sentenced to terms in excess of five years; adding a new subsection (3) requiring that the inmate be advised of the decision of the parole commission within a specified period of time; requiring review for parole at periodic intervals; providing an effective date.

Amendment 1—

On page 2, line 19, strike the period and insert the following: *, provided, however, that an inmate convicted of a capital crime shall be interviewed at the discretion of the parole commission.*

Amendment 2—

On page 2, line 31, strike 1972 and insert the following: 1971

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Myers, the Senate concurred in the House amendments to SB 493.

SB 493 as further amended was read by title, passed and ordered engrossed. The vote was:

Yeas—34

Mr. President	Graham	Knopke	Reuter
Arnold	Gunter	Lane	Saunders
Beaufort	Haverfield	Lewis (33rd)	Saylor
Brantley	Henderson	Lewis (43rd)	Stolzenburg
Broxson	Hollahan	McClain	Trask
Childers	Horne	Myers	Ware
Daniel	Johnson (29th)	Plante	Wilson
Deeb	Johnson (34th)	Pope	
Ducker	Karl	Poston	

Nays—1

Barron

By unanimous consent Senator Trask changed his vote from yea to nay; Senators Weissenborn and Boyd were recorded as voting yea.

The Honorable Jerry Thomas
President of the Senate

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has concurred in Senate amendment 2, and has concurred in Senate amendment 1, as amended by House amendment and has passed as amended—

By the Committee on Health & Rehabilitative Services—

HB 335—A bill to be entitled An act relating to the department of health and rehabilitative services; creating §381.395, Florida Statutes; establishing in said department a program for

the care and financial assistance of persons suffering from chronic renal diseases; providing an advisory council in connection therewith; designating powers and duties of the council; providing an effective date.

Senate Amendment 1—

On page 1, line 14, strike everything after the enacting clause and insert the following:

Section 1. Section 402.21, Florida Statutes, is created to read:

402.21 Care and assistance of persons suffering from chronic renal diseases; establishment of programs in kidney disease control.

(1) The department of health and rehabilitative services shall appoint a kidney disease board, hereinafter referred to as the board, from a list of nominees provided by the Florida kidney foundation. This board shall consult with the department of the administration of the act and shall act in an advisory capacity with the directors of the appropriate divisions of the department. The council shall be composed of eleven (11) persons, four (4) of whom shall be physicians as defined in chapters 458 and 459, trained in the treatment of chronic renal diseases; two (2) persons shall be representatives of hospitals and/or medical schools which have dialysis centers; three (3) persons shall be representatives of local health agencies; and two (2) persons shall be members of the general public. Each member shall hold office for a term of four (4) years and until his successor is appointed and qualified, except that terms of the members first taking office shall expire, as designated at the time of appointment, two (2) at the end of the first year, three (3) at the end of the second year, three (3) at the end of the third year, and three (3) at the end of the fourth year from the date of appointment. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The council shall meet as frequently as the department deems necessary but not less than once each year. The council members shall receive no compensation but shall be entitled to travel and per diem expenses as authorized by Section 112.061.

(2) The department of health and rehabilitative services, hereinafter referred to as the department, with the advice of the kidney disease board, shall:

(a) Establish a program for the assistance of persons suffering from chronic renal disease and assist in the development and expansion of programs for the care and treatment of persons suffering from chronic renal diseases, including dialysis and other medical procedures and techniques which will have a life-saving effect in the care and treatment of persons suffering from these diseases.

(b) Develop standards for determining eligibility for care and treatment under this program.

(c) Assist in the development of programs for the prevention of chronic renal diseases.

(d) Assist in the establishment of screening programs and early diagnostic facilities.

(e) Make use of available funds and programs of the appropriate divisions of the department to obtain financial assistance for persons qualified for such assistance who are suffering from chronic renal diseases.

(f) Assist in equipping dialysis centers.

(g) Institute and carry on an educational program among physicians, hospitals, county health departments, and the public concerning chronic renal diseases, including the dissemination of information and the conducting of educational programs concerning the prevention of chronic renal diseases and the methods for the care and treatment of persons suffering from these diseases.

(h) Contract with existing facilities for the provision of care as outlined

(3) The board shall:

(a) Enlist the cooperation of the appropriate divisions of the department of health and rehabilitative services in order to obtain assistance for all persons qualified to receive such benefits from these divisions.

(b) Submit to the appropriate divisions of the department of health and rehabilitative services criteria and guidelines for the use of these divisions in determining priorities and qualifications for persons suffering from chronic renal diseases who are in need of assistance in obtaining treatment for such diseases.

(4) Nothing in this act shall be construed to commit the state to provide direct financial assistance to patients requiring chronic dialysis therapy.

Section 2. This act shall take effect July 1, 1971.

House amendment to Senate Amendment 1—

On page 1, lines 5 and 6, strike , from a list of nominees provided by the Florida kidney foundation. and insert the following: (.)

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

On motion by Senator Myers, the Senate concurred in the House amendment to the Senate amendment to HB 335.

HB 335 was read by title as further amended, passed and certified to the House. The vote was: Yeas—35 Nays—None

Mr. President	Ducker	Karl	Poston
Arnold	Graham	Knopke	Reuter
Barron	Gunter	Lane	Saunders
Beaufort	Haverfield	Lewis (33rd)	Sayler
Brantley	Henderson	Lewis (43rd)	Stolzenburg
Broxson	Hollahan	McClain	Trask
Childers	Horne	Myers	Ware
Daniel	Johnson (29th)	Ott	Wilson
Deeb	Johnson (34th)	Plante	

By unanimous consent Senators Weissenborn and Boyd were recorded as voting yea.

UNFINISHED BUSINESS

HB 951—A bill to be entitled An act relating to national elections; amending §97.031, Florida Statutes, prescribing procedures for the registration of electors to vote in national elections for president and vice-president of the United States under Public Law 91-285; providing an effective date.

Was taken up together with the pending amendment by Senator Barrow which was withdrawn.

On motion by Senator Barrow, HB 951 was read the third time by title.

On motion by Senator Ducker the following amendment was adopted by two-thirds vote:

On page 6, line 7, section 2(5)1, strike "sealed"

On motion by Senator Broxson the following amendment was adopted by two-thirds vote:

On page 6, line 6, section 2(5), before the word "the" insert: by

Further consideration of HB 951 as amended was deferred.

SB 789—A bill to be entitled An act relating to the department of state; providing for an increase in fees to be paid to the department of state; amending section 15.09(1)(a)(b), Florida Statutes, amending section 15.091, Florida Statutes, amending section 48.091(2), Florida Statutes, amending section 48.161(1), Florida Statutes, amending section 495.031(6), Florida Statutes, amending section 495.071(1), Florida Statutes, amending 495.081, Florida Statutes, amending section 506.08, Florida Statutes, amending section 604.11(2), Florida Statutes, amending section 608.05, Florida Statutes, amending section 608.37(1)(2), Florida Statutes, amending section 609.02, Florida Statutes, amending section 613.02(1), Florida Statutes, amending section 617.015, Florida Statutes, amending section 617.11(1), Florida Statutes, amending section 618.04(8)(b), Florida Statutes, amending section 618.05, Florida Statutes, amending section 620.02(2)(b), Florida Statutes, amending amending section 620.44, Florida Statutes, amending section 679.402(6), Florida Statutes; providing for an increase in the fee authorized to be paid to the department of state or other officers; providing for a trust fund; providing for the deposit of the increase authorized by this act to be deposited in said trust fund; providing for the use of said trust fund; providing for an effective date.

—was taken up together with pending amendment by Senator Deeb which was withdrawn.

On motion by Senator Trask the following amendment was adopted:

On page 22, line 20, section 21, insert: (4) Provided, however, that all of the activities and programs set forth in subsections (1), (2) and (3) of this section shall be subject to approval by the Department of General Services.

On motion by Senator Trask the following amendment was adopted:

On page 22, line 16, section 21, strike "and transportation" and insert: and office

On motion by Senator Trask, SB 789 as further amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—43 Nays—None

Arnold	Deeb	Johnson (34th)	Poston
Barron	de la Parte	Karl	Reuter
Barrow	Ducker	Knopke	Saunders
Beaufort	Fincher	Lane	Sayler
Bell	Graham	Lewis (33rd)	Stolzenburg
Bishop	Gunter	Lewis (43rd)	Trask
Boyd	Haverfield	McClain	Ware
Brantley	Henderson	Myers	Weissenborn
Broxson	Hollahan	Ott	Williams
Childers	Horne	Plante	Wilson
Daniel	Johnson (29th)	Pope	

On motion by Senator Trask, by two-thirds vote, SB 789 was ordered immediately certified to the House after engrossing.

RECONSIDERATION

The motion by Senator Trask on May 26 that the Senate reconsider the vote by which—

HB 1409—A bill to be entitled An act relating to public education; repealing subsection (10) of section 228.041; amending section 228.07; repealing subsection (4) of section 230.03; amending subsections 230.23(10)(i), 230.33(9)(a), 230.33(12)(g), 230.33(13)(b), 230.33(18) and (19), 230.34(7), 232.22(4), 234.01 and 234.20, all Florida Statutes; removing provisions for school trustees; providing an effective date.

—passed on May 25, was taken up.

On motion by Senator Hollahan debate on the motion to reconsider was limited to three minutes per side.

The motion to reconsider was adopted by the following vote:

Yeas—27

Barron	Deeb	Johnson (29th)	Plante
Barrow	de la Parte	Johnson (34th)	Pope
Bishop	Ducker	Knopke	Saylor
Boyd	Haverfield	Lane	Trask
Broxson	Henderson	Lewis (33rd)	Ware
Childers	Hollahan	McClain	Wilson
Daniel	Horne	Ott	

Nays—16

Mr. President	Brantley	Karl	Reuter
Arnold	Gong	Lewis (43rd)	Stolzenburg
Beaufort	Graham	Myers	Weissenborn
Bell	Gunter	Poston	Williams

On motion by Senator Horne, the Senate reconsidered the vote by which HB 1409 was placed on third reading. The motion was adopted by the following vote:

Yeas—27

Barron	Deeb	Johnson (29th)	Ott
Barrow	de la Parte	Johnson (34th)	Plante
Bishop	Ducker	Karl	Pope
Boyd	Haverfield	Knopke	Trask
Broxson	Henderson	Lane	Ware
Childers	Hollahan	Lewis (33rd)	Wilson
Daniel	Horne	McClain	

Nays—16

Mr. President	Brantley	Lewis (43rd)	Scarborough
Arnold	Gong	Myers	Stolzenburg
Beaufort	Graham	Poston	Weissenborn
Bell	Gunter	Reuter	Williams

Senator Horne moved the adoption of the following amendment:

On page 9, line 11, section 13, strike Section 13 and insert:

Section 13. Sec. 236.07(9) (a), Florida Statutes, is amended to read:

(a) The amount that each district shall provide toward the cost of the minimum foundation program shall be ~~ninety five percent of four mills in 1970-71, ninety-five percent (95%) of five (5) mills in 1971-72, ninety-five percent (95%) of six (6) mills in 1972-73, and ninety-five percent (95%) of seven (7) mills in 1973-74 and each year thereafter, of tax on one hundred percent the just value of the nonexempt assessed valuation of that district for the preceding calendar year. The level of assessment of property for each district shall be determined by the agency authorized by law. The auditor general shall annually make a determination of the full value of the non-exempt property of the district. After consultation with the department of revenue, the auditor general is directed to determine for each school district the ratio of the assessment roll compared to full value and shall certify the results of such study to the department of education. In making this certification, the auditor general shall consider and be guided by the statutory standards to which the assessors are required to adhere. This certification shall be made no later than May 1 of each year except the first year of said study. Whenever the ratio of assessed value to full value, as determined by the auditor general, of a district is greater than eighty percent (80%), that district shall be deemed to be at just value for the purpose of this section. Effective with the 1972-73 fiscal year, in each school district failing to assess at one hundred percent valuation the just value of property, the school district share of the minimum foundation program shall be computed at a level of assessment equal to one hundred percent a just valuation of the nonexempt assessed property valuation of the district for the preceding calendar year. For each year subsequent to the fiscal year 1970-71, the level of assessment of property for each district, as determined by the ratio study of the current tax roll, shall be applied to the said current tax roll. For the fiscal year 1970-71 the level of assessment of~~

property for each district as determined by the ratio study on the 1970 tax roll shall be applied to the 1960 tax roll, it being the intent of the legislature that there shall be no ratio study performed on the 1960 tax roll. If the funds for the increase in other current expense provided in subsection (5) are not appropriated in full for a given year, the increased local effort required hereunder shall not apply, and in lieu thereof the local effort required shall revert to the level required for the year in which other current expense was last full funded. When the amount of increase of one thousand one hundred dollars in other current expense, as provided in subsection (5), allocated to any district for any year, 1970-71 through 1973-74, is less than the amount of the increase of one mill of required local effort for that district as provided herein, an amount equal to the difference of the increase of one mill and the increase in other current expense shall be allocated to the district. The financial effort of any school district toward meeting the cost of a minimum foundation program for that district shall consist of the proceeds of the district current school taxes, provided, that when a district is levying the maximum mills permitted by law, racetrack, federal impact, and national forest funds may be included.

Section 14. This act shall take effect immediately upon becoming law.

Senator Brantley presented a parliamentary inquiry: inasmuch as the amendment was alleged to be, in substance, the content of another bill which reposed in a committee of the Senate—could the body now receive and act on such an amendment?

Mr. President: It is permissible to propose an amendment having in substance the language of a bill before a committee, for to rule otherwise would permit anyone who is opposed to a particular concept to introduce a measure, request the chairman of the committee in which that bill reposes not to agenda and consider same and thereby preclude the body from ever taking up such a measure.

Senator Graham raised a point of order to the effect that the title to the bill under consideration does not relate to Chapter 236, Florida Statutes, which is the chapter that would be altered by the amendment and that it would therefore be out of order to consider such an amendment unless the subject matter of the amendment is contained within the title. Whereupon the President appointed Senators Horne, Graham and Wilson as a select committee to consider and advise the chair concerning the same, particularly on the question of whether the relevant issue involved is the inclusion of the subject within the title or within the subject matter of the bill itself.

The select advisory committee of Senators Horne, Graham and Wilson, having met and considered the question put to them by the chair, reported their unanimous view as follows: Rule 7.1 states that no proposition on the subject different from that under consideration shall be admitted under color of amendment and caution should be exercised so as to not too narrowly restrict consideration of amendments under the requirement of germanity. Rule 7.4 is the applicable rule in those instances where all after the enacting clause is struck and, in that instance, it is the title that becomes the governing factor. The view of the committee is, therefore that the present bill is in the nature of a revisors bill and deals exclusively with the matter of striking the word "trustees" and similar language from the present body of statutory law and that the subject content of the bill is not broad enough to cover the very broad impact of the amendment proposed and that the point of order by Senator Graham is well taken. Whereupon the President ruled the point of order well taken and the amendment out of order in accordance with the stated views of the advisory committee.

On motion by Senator Barrow, the rules were waived and further consideration of HB 1409 was deferred, the bill retaining its place on the Calendar.

The motion by Senator Beaufort to reconsider the vote by which SB 728 as amended passed May 26 was not taken up and the motion was considered abandoned. The bill was ordered engrossed.

SPECIAL ORDER

On motion by Senator Hollahan, by two-thirds vote, SB 1186 was removed from the Calendar and withdrawn from further consideration of the Senate.

SB 1439—A bill to be entitled An act relating to the Inter-American cultural and trade center; amending Sections 554.01, 554.02(1)(a), adding Sections 554.071(5), 554.161 and adding Section 554.34, Florida Statutes, establishing the Inter-American Center Authority Instrumentality, increasing the members to nine (9) with provision for appointment of added members, providing for assistance of the Inter-American Center Authority by the Department of Community Affairs with appropriation permitted through the Department of Community Affairs; providing for coordination of the efforts of the Inter-American Center Authority with agencies involved in the American Bicentennial; and requiring annual reports by the Inter-American Center Authority to the Governor; providing an effective date.

Was read the second time by title.

The Committee on Governmental Efficiency offered the following amendment which was moved by Senator Daniel:

On page 2, line 9, section 2, strike entire section and re-number subsequent sections

On motion by Senator Graham the following substitute amendment was adopted:

On page 2, line 9, strike section 2, add new section 2, and renumber

Insert: Section 2. Paragraph (a) of subsection (1) of section 554.02, Florida Statutes, is amended to read:

554.02 Members; number, terms, compensation, etc.—

(1) (a) The inter-American center authority shall consist of seven members, one of whom shall be the secretary of the department of community affairs. The other six members of the authority shall be appointed by the governor as follows: one member from three nominees submitted by the board of county commissioners of Dade County; two members from five nominees submitted by the city commission of the City of Miami; and three members from five nominees submitted by the city council of the City of North Miami. All appointed members shall serve for terms of two years or until their respective successors are duly appointed and qualified. Provided, commencing upon the termination of terms in effect on July 1, 1971, terms of appointed members shall be for a period of three years, except that in 1972, in order to provide staggered terms, one appointee from the nominees submitted by the city commission of the City of Miami and one appointee from the nominees submitted by the city council of the city of North Miami shall be appointed for one year and one appointee from the nominees submitted by the city council of the city of North Miami and the member nominated by the county commission of Dade County shall be appointed for two years. Three nominations shall be made for each subsequent vacancy on the authority, by the local governmental agency whose representation on the authority is affected by such vacancy.

The Committee on Governmental Efficiency offered the following amendment which was moved by Senator Daniel and failed:

On page 4, line 9, section 6, strike "July" and insert: September

On motion by Senator Hollahan the following amendment was adopted:

On page 3, line 11, insert: Section 4. Section 554.16 is amended to read as follows:

Section 554.16 Declaration of public purpose.—It is hereby determined and declared that the creation of the authority and the carrying out of its purposes is in all respects for the benefit of the people of this state and is a public purpose and that the authority will be performing an essential governmental function in the exercise of the power conferred upon

it by this chapter, and the state covenants with the holders of the bonds issued under the provisions of this chapter that the authority shall not be required to pay any taxes or assessments upon any of the property acquired by it under its jurisdiction, control, possession or supervision or upon its activities in the establishment, maintenance and operation of an inter-american *environmental*, cultural and trade center, or upon any revenue received by the authority.

and re-number subsequent Sections.

On motion by Senator Graham the following amendment was adopted:

On page 4, line 8, insert new section 6, renumber thereafter

Section 6. Florida International University participation.—Florida International University is hereby authorized to expend not more than \$85,305.00 of funds appropriated to Florida International University for the purpose of planning for a campus of Florida International University at the interama center in conjunction with the Bicentennial Commission of Florida and the Interama Authority.

On motion by Senator Graham, by two-thirds vote, SB 1439 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

Mr. President	Daniel	Knopke	Sayler
Arnold	de la Parte	Lane	Scarborough
Barron	Ducker	Lewis (43rd)	Stolzenburg
Barrow	Gong	McClain	Trask
Beaufort	Graham	Myers	Ware
Bell	Gunter	Ott	Weissenborn
Bishop	Haverfield	Plante	Williams
Boyd	Henderson	Pope	Wilson
Brantley	Hollahan	Poston	
Broxson	Johnson (29th)	Reuter	
Childers	Johnson (34th)	Saunders	

By unanimous consent Senators Fincher and Lewis (33rd) were recorded as voting yea.

On motion by Senator Hollahan, the rules were waived and SB 1439 was ordered immediately certified to the House, after engrossing.

On motion by Senator Myers, the President appointed Senators Trask, Boyd and Henderson as a committee to escort the Honorable Spessard L. Holland and Mrs. Holland to the rostrum where Senator Holland addressed the Senate briefly.

The Senate resumed consideration of—

HB 1409—A bill to be entitled An act relating to public education; repealing subsection (10) of section 228.041; amending section 228.07; repealing subsection (4) of section 230.03; amending subsections 230.23(10)(i), 230.33(9)(a), 230.33(12)(g), 230.33(13)(b), 230.33(18) and (19), 230.34(7), 232.22(4), 234.01 and 234.20, all Florida Statutes; removing provisions for school trustees; providing an effective date.

Senators Ware and Sayler offered the following amendment which was moved by Senator Ware:

Strike everything after the enacting clause and insert: Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection ten (10) of section 236.07, Florida Statutes, is amended by adding a new paragraph (e) to read:

236.07 Procedure for determining annual apportionment to each district.—The procedure for determining the apportionment annually to each district foundation program fund shall be as follows:

(10) DETERMINING THE ALLOCATION FROM STATE FUNDS.—The total allocation to each district foundation pro-

gram fund shall be the total calculated cost of the minimum foundation program for that district as determined in subsection (8) less the minimum financial effort required of that district as determined in subsection (9); provided, however, from this amount shall be deducted in the succeeding fiscal year:

(e) *Effective July 1, 1972, each school district that collects ad valorem taxes for operating purposes in an amount equal to or greater than the product of the millage, required that year pursuant to subsection (9), multiplied by the nonexempt assessed valuation of that district for the preceding calendar year shall, for the current fiscal year, have the local required effort computed as a product of the millage required in subsection (9) multiplied by the nonexempt assessed valuation of that district for the preceding fiscal year, the provisions of section 236.07(9) notwithstanding.*

Section 2. This act shall take effect July 1, 1971.

Senator Graham raised a point of order that the amendment was out of order under Rule 7.4 and that the title of the bill does not embrace the general subject matter of the amendment.

The President ruled the point well taken and the amendment out of order.

On motion by Senator Broxson, by two-thirds vote, HB 1409 was read by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	Childers	Johnson (29th)	Poston
Arnold	Daniel	Johnson (34th)	Reuter
Barron	Deeb	Karl	Saunders
Barrow	Ducker	Lane	Saylor
Beaufort	Gong	Lewis (33rd)	Scarborough
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weissenborn
Brantley	Henderson	Ott	Wilson
Broxson	Hollahan	Pope	

By unanimous consent Senators Fincher and Williams were recorded as voting yea.

On motion by Senator Myers, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Jerry Thomas
President of the Senate*

May 26, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By the Committee on Health, Welfare and Institutions—

SB 497—A bill to be entitled An act relating to the Division of Corrections; amending Section 945.091 (1), Florida Statutes, removing the provision regarding investigations and recommendations by the Probation and Parole Commission; removing the twenty-four hour limit on visits; authorizing visits to aid in the rehabilitation of the inmate; extending the time inmates may participate in paid employment programs to the last one (1) year of confinement; providing an effective date.

Which amendment reads as follows—

On page 1, line 27, following the word "conditions," insert the following: *and following investigation and approval by the director, who shall maintain a written record of such action and forward a copy of his approval to the Probation and Parole Commission,*

—and requests the concurrence of the Senate therein.

*Respectfully,
ALLEN MORRIS
Clerk, House of Representatives*

On motion by Senator Myers, the Senate concurred in the House amendment to SB 497.

SB 497 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—42 Nays—None

Mr. President	Daniel	Karl	Saunders
Arnold	Ducker	Knopke	Saylor
Barron	Gong	Lane	Scarborough
Barrow	Graham	Lewis (33rd)	Trask
Beaufort	Gunter	Lewis (43rd)	Ware
Bell	Haverfield	McClain	Weber
Bishop	Henderson	Myers	Weissenborn
Boyd	Hollahan	Plante	Williams
Brantley	Horne	Pope	Wilson
Broxson	Johnson (29th)	Poston	
Childers	Johnson (34th)	Reuter	

The Senate resumed—

SPECIAL ORDER

SB 1241—A bill to be entitled An act relating to alligators; amending §1(2)(a) of chapter 70-3, Laws of Florida, appearing as §372.6645(2)(a), Florida Statutes, 1970 Supplement, relating to the unlawful sale of alligator products, to remove the caiman from the class of reptiles protected by this section; providing an effective date.

—was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Pope:

On page 1, line 25, section 2, insert the following new section: Section 2. The game and fresh water fish commission shall promulgate regulations to control the importation of caiman.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Pope:

On page 1, line 25, section 2, renumber Section 2 to Section 3

Senator Henderson moved the adoption of the following amendment which failed:

On page 1, lines 25 and 26, section 2, strike Section 2 and insert: Section 2. This act shall take effect July 1, 1972.

Senator Henderson moved the adoption of the following amendment which failed:

On page 1, lines 25 and 26, section 2, strike Section 2 and insert: This act shall be repealed on July 1, 1972.

On motion by Senator Pope, by two-thirds vote, SB 1241 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—29

Arnold	Childers	Knopke	Trask
Barron	Daniel	Ott	Ware
Barrow	Deeb	Plante	Weber
Beaufort	Fincher	Pope	Weissenborn
Bell	Graham	Poston	Wilson
Bishop	Hollahan	Saunders	
Boyd	Horne	Scarborough	
Brantley	Johnson (29th)	Stolzenburg	

Nays—13

Mr. President	Gunter	Karl	Reuter
Broxson	Haverfield	Lane	
Ducker	Henderson	Lewis (43rd)	
Gong	Johnson (34th)	McClain	

By unanimous consent Senator Lewis (33rd) was recorded as voting yea.

Senator Barron moved that the rules be waived and SB 1241 be ordered immediately certified to the House, after engrossing.

Senator Plante moved as a substitute motion that the Senate reconsider the vote by which SB 1241 passed as amended.

Senator Wilson moved that the Senate immediately reconsider the vote by which SB 1241 passed as amended. The motion failed by the following vote:

Yeas—24

Arnold	Boyd	Graham	Poston
Barron	Brantley	Hollahan	Stolzenburg
Barrow	Childers	Johnson (29th)	Trask
Beaufort	Daniel	Knopke	Ware
Bell	Deeb	Ott	Weber
Bishop	Fincher	Pope	Wilson

Nays—13

Mr. President	Henderson	Lewis (43rd)	Scarborough
Broxson	Johnson (34th)	McClain	
Ducker	Karl	Plante	
Haverfield	Lane	Reuter	

CS for HB 794—A bill to be entitled An act relating to governmental reorganization of the department of business regulation; amending subsections (1), (3), (5) and (7) of section 20.16, Florida Statutes, as amended by Chapter 71-2(B), Laws of Florida; providing that the appointment of and removal of members of the board of business regulation shall be subject to confirmation by the senate; requiring the department of business regulation to provide opportunities for businesses regulated and the public to be heard in regard to matters relating to pari-mutuel wagering or land sales; providing for a type three transfer of the state racing commission to the department of business regulation instead of a type one transfer; providing that the functions of the state racing commission are to be assigned to the division of pari-mutuel wagering of the department of business regulation and the board previously heading the state racing commission is abolished; providing for a type three transfer of the land sales board to the department of business regulation instead of a type one transfer; providing that the functions of the land sales board are to be assigned to the division of Florida land sales of the department of business regulation and the board previously heading the land sales board is abolished; providing an effective date.

Was read the second time by title.

The Committee on Governmental Efficiency offered the following amendment which was adopted on motion by Senator Daniel:

On page 4, line 11, section 3, strike "August" and insert: September

The Committee on Governmental Efficiency offered the following amendment which was adopted on motion by Senator Daniel:

In Section 1, line 16—18, page 3, following the (.) strike "No license shall be granted or revoked by the board except as a mandate resulting from an appeal."

The Committee on Governmental Efficiency offered the following amendment which was moved by Senator Daniel:

On page 3, line 23, section 1, strike the period (.) and insert: ; provided, however, that the board of business regulation shall fix and set the dates for racing and within which any fronton may be operated as prescribed by chapters 550 and 551, Florida statutes.

Consideration of CS for HB 794 as amended with pending amendment was temporarily deferred.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:00 noon to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by Senator de la Parte at 2:00 p.m. A quorum present—47:

Mr. President	Deeb	Johnson (34th)	Reuter
Arnold	de la Parte	Karl	Saunders
Barron	Ducker	Knopke	Saylor
Barrow	Fincher	Lane	Scarborough
Beaufort	Gong	Lewis (33rd)	Stolzenburg
Bell	Graham	Lewis (43rd)	Trask
Bishop	Gunter	McClain	Ware
Boyd	Haverfield	Myers	Weber
Brantley	Henderson	Ott	Weissenborn
Broxson	Hollahan	Plante	Williams
Childers	Horne	Pope	Wilson
Daniel	Johnson (29th)	Poston	

The Senate resumed consideration of—

CS for HB 794—A bill to be entitled An act relating to governmental reorganization of the department of business regulation; amending subsections (1), (3), (5) and (7) of section 20.16, Florida Statutes, as amended by Chapter 71-2(B), Laws of Florida; providing that the appointment of and removal of members of the board of business regulation shall be subject to confirmation by the senate; requiring the department of business regulation to provide opportunities for businesses regulated and the public to be heard in regard to matters relating to pari-mutuel wagering or land sales; providing for a type three transfer of the state racing commission to the department of business regulation instead of a type one transfer; providing that the functions of the state racing commission are to be assigned to the division of pari-mutuel wagering of the department of business regulation and the board previously heading the state racing commission is abolished; providing for a type three transfer of the land sales board to the department of business regulation instead of a type one transfer; providing that the functions of the land sales board are to be assigned to the division of Florida land sales of the department of business regulation and the board previously heading the land sales board is abolished; providing an effective date.

—together with pending amendment by the Committee on Governmental Efficiency.

Senator Horne offered the following substitute amendment which was moved by Senator Barrow:

On page 3, line 23, section 1(5), strike the period (.) and insert the following: ; provided, however, that the board of business regulation shall hear and approve the dates for racing and within which any fronton may be operated as prescribed by chapters 550 and 551, Florida Statutes, and shall not delegate said function to any subordinate officer or division of said board.

The President presiding.

On motion by Senator Wilson the following amendment to the substitute amendment was adopted:

In line 4 between "and" and "within" insert: the dates

The substitute amendment as amended was adopted.

The Committee on Governmental Efficiency offered the following amendment which was adopted on motion by Senator Daniel:

On page 1, lines 22-23, title, after the word "commission" insert: , except fixing and setting the dates for racing and fronton operation,

On motion by Senator Hollahan the following amendment was adopted:

On page 4, line 10, after section 2, insert: Section 3. If any provision of this act shall be held to be unconstitutional, the remaining provisions shall not be affected thereby. The legislature hereby declares that it would have enacted the remaining provisions of this act, if it had known of the invalidity of any provision hereafter held to be unconstitutional.

(Renumber subsequent sections.)

Senators Hollahan and Plante offered the following amendment which was moved by Senator Hollahan:

On page 4, line 1, section 2, insert the following: Section 2. It is herewith declared to be the clear and unmistakable intent of the legislature that in all matters pertaining to the division of pari-mutuel wagering regarding pari-mutuel operations and in particular the fixing and setting of racing dates that the director of the division and the board of business regulation shall give highest priority and foremost consideration to providing the highest amount of income for the state.

(Renumber subsequent sections.)

The amendment failed by the following vote:

Yeas—20

Bell	Daniel	Horne	Ott
Bishop	Fincher	Johnson (29th)	Plante
Boyd	Gong	Knopke	Pope
Broxson	Graham	Lewis (43rd)	Poston
Childers	Hollahan	Myers	Wilson

Nays—21

Mr. President	Ducker	McClain	Ware
Arnold	Gunter	Reuter	Weber
Barrow	Henderson	Saunders	Weissenborn
Beaufort	Johnson (34th)	Sayler	
Brantley	Lane	Scarborough	
de la Parte	Lewis (33rd)	Stolzenburg	

Senator Weissenborn moved that the Senate reconsider the vote by which the foregoing amendment failed. The motion failed by the following vote:

Yeas—15

Bishop	Fincher	Johnson (29th)	Pope
Boyd	Gong	Lewis (43rd)	Weissenborn
Broxson	Haverfield	Myers	Wilson
Daniel	Hollahan	Plante	

Nays—19

Mr. President	Childers	Lane	Scarborough
Arnold	de la Parte	Lewis (33rd)	Stolzenburg
Beaufort	Ducker	McClain	Ware
Bell	Henderson	Saunders	Weber
Brantley	Johnson (34th)	Sayler	

Senator Henderson moved the adoption of the following amendment which failed:

On page 3, after line 23, after subsection (5) insert the following: New (a) and (b)

(a) There is hereby created a 4 member advisory board to be appointed by the governor. The board shall consist of a representative of the horse racing industry, the dog racing industry, the jai alai industry, and the harness racing industry.

(b) The director of racing is hereby authorized to assume all duties and responsibilities under Florida Statutes, Chapter 550.01.

On motion by Senator Fincher the following amendment was adopted:

On page 3, line 18, section 1(3), add the following: *The Governor shall appoint to serve, at his pleasure, a five-member advisory committee to consist of one citizen who is a member of the Horsemen's Protective Benevolent Association; one citizen who is a member of the Florida Thoroughbred Breeders' Association, and three citizens who are either owners, breeders or interested directly in thoroughbred racing in Florida; such advisory committee to advise with the division and the Board of Business Regulations in the conducting of thoroughbred racing.*

On motion by Senator Fincher the following amendment was adopted:

On page 4, line 11, section 3, strike "August 1, 1971" and insert: immediately upon becoming a law.

Senator de la Parte was excused for the purpose of working with the staff of the Committee on Ways and Means.

Senator Brantley moved the adoption of the following amendment:

On page 4, line 1, strike section 2 and insert: Section 2. It shall be considered the duty of the board of business regulation to give prime consideration in setting racing dates to the amount of income to the state. (Renumber subsequent sections)

A point of order was raised by Senator Barron that the amendment proposed by Senator Brantley was the same as previously proposed by Senators Hollahan and Plante and rejected by the Body. The President appointed a select advisory committee consisting of Senators Barron, Hollahan, Horne and Wilson to review and advise the chair with respect to the point. The committee withdrew from the chamber.

SB 324—A bill to be entitled An act relating to the Union Bank Building; authorizing the division of archives, history and records management of the department of state to accept said building for the State of Florida; providing for its removal to a suitable location in Leon County and for its restoration and preservation; providing an appropriation therefor; providing an effective date.

Was read the second time by title.

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Gunter:

On page 3, lines 19 and 20, section 2, strike "thirty-five thousand dollars (\$35,000)" and insert: five thousand dollars (\$5,000)

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Gunter:

On page 3, line 9, section 1, insert: or another suitable site selected by the division,

The Committee on Ways and Means offered the following amendment which was adopted on motion by Senator Gunter:

On page 3, line 16, section 1, insert: The Division is authorized to contract with public or private legal entities to accomplish the purposes of this act, provided that the preservation, restoration, maintenance, interpretation and use of the building shall be accomplished pursuant to guidelines and criteria established and furnished by the division, and further provided that the building shall perpetually be used and maintained for the use and benefit of the public.

On motion by Senator Williams, by two-thirds vote, SB 324 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—37 Nays—None

Mr. President	Ducker	Knopke	Saunders
Arnold	Fincher	Lane	Saylor
Barrow	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bell	Gunter	McClain	Ware
Bishop	Haverfield	Myers	Weissenborn
Boyd	Henderson	Plante	Williams
Broxson	Johnson (29th)	Pope	
Childers	Johnson (34th)	Poston	
Daniel	Karl	Reuter	

On motion by Senator Horne, by two-thirds vote, SB 324 was ordered immediately certified to the House after engrossing.

SB 868—A bill to be entitled An act relating to the Florida board of regents; providing for complete year-round operation of institutions of higher learning in the state university system; providing an effective date.

—was read the second time by title.

The select committee previously appointed returned to the chamber.

On motion by Senator Graham the following amendment was adopted:

On page 1, lines 10-19, strike Section 1 and insert: Section 1. The division of community colleges and the division of universities shall provide not later than the academic year beginning in September 1977 for complete year round operation of each community college and state university. The Legislative intent of complete year round operation is that each quarter, trimester, or semester shall be as equal as possible in number of courses offered and hours of instruction and that the community colleges and universities shall have a uniform enrollment throughout each of the instructional periods.

On motion by Senator Graham the following amendment was adopted:

On page 1, lines 25 and 26, section 3 insert a new section 3: (renumber remaining section)

Section 3. (1) The budget submitted by the division of universities to the Board of Education shall compute full time enrolled students at each level of instruction as follows:

(a) For the academic year 1972, the cumulative quarter hours of instruction shall be divided by 3.5;

(b) For the academic year 1973, the cumulative quarter hours of instruction shall be divided by 3.6;

(c) For the academic year 1974, the cumulative quarter hours of instruction shall be divided by 3.7;

(d) For the academic year 1975, the cumulative quarter hours of instruction shall be divided by 3.8;

(e) For the academic year 1976, the cumulative quarter hours of instruction shall be divided by 3.9; and

(f) For the academic year 1977 and thereafter, the cumulative quarter hours of instruction shall be divided by 4.0.

(2) The budget submitted by the Division of community colleges to the Board of Education for the academic year 1972 and thereafter shall compute full time enrolled students in the same manner as provided in subsection (1) or in an equivalent manner should the community college academic year be organized on other than a quarter system.

On motion by Senator Graham the following amendment was adopted:

On page 1, line 20, section 2, strike line 20 and insert: Section 2. The division of universities in

On motion by Senator Graham the following amendment was adopted:

On page 1, title, strike lines 4—7 and insert: An act relating to the division of universities and division of community colleges; providing for complete year round operation of state universities and community colleges; providing an effective date.

On motion by Senator Saunders, by two-thirds vote, SB 868 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—41 Nays—None

Mr. President	Daniel	Johnson (34th)	Saylor
Arnold	Ducker	Karl	Scarborough
Barron	Fincher	Knopke	Trask
Barrow	Gong	Lane	Ware
Beaufort	Graham	Lewis (33rd)	Weber
Bell	Gunter	Lewis (43rd)	Weissenborn
Bishop	Haverfield	Myers	Williams
Boyd	Henderson	Pope	Wilson
Brantley	Hollahan	Poston	
Broxson	Horne	Reuter	
Childers	Johnson (29th)	Saunders	

By unanimous consent Senator McClain was recorded as voting yea.

The Senate resumed consideration of—

CS for HB 794—A bill to be entitled An act relating to governmental reorganization of the department of business regulation; amending subsections (1), (3), (5) and (7) of section 20.16, Florida Statutes, as amended by chapter 71-2(B), Laws of Florida; providing that the appointment of and removal of members of the board of business regulation shall be subject to confirmation by the senate; requiring the department of business regulation to provide opportunities for businesses regulated and the public to be heard in regard to matters relating to pari-mutuel wagering or land sales; providing for a type three transfer of the state racing commission to the department of business regulation instead of a type one transfer; providing that the functions of the state racing commission are to be assigned to the division of pari-mutuel wagering of the department of business regulation and the board previously heading the state racing commission is abolished; providing for a type three transfer of the land sales board to the department of business regulation instead of a type one transfer; providing that the functions of the land sales board are to be assigned to the division of Florida land sales of the department of business regulation and the board previously heading the land sales board is abolished; providing an effective date.

—together with the following pending amendment by Senator Brantley:

On page 4, line 1, section 2, insert: Section 2. It shall be considered the duty of the board of business regulation to give prime consideration in setting racing dates to the amount of income to the state. (Renumber subsequent sections)

The select advisory committee composed of Senators Barron, Hollahan, Horne and Wilson appointed by the chair to advise with respect to the point of order raised by Senator Barron on the amendment offered by Senator Brantley to CS for HB 794 reported as follows: The amendment previously offered and rejected expressed legislative intent that the principle of production of revenue for the state be given consideration in the awarding of racing dates, whereas, the amendment by Senator Brantley mandated that racing dates be awarded giving prime consideration in setting racing dates to the amount of income to the state, and that, taking into view the entire body of the two amendments, there exists sufficient difference to consider the amendment by Senator Brantley a proper one, and so recommends.

Whereupon, the chair ruled the point not well taken.

On motion by Senator Plante, by two-thirds vote, debate on all pending amendments and the bill was limited to 5 minutes.

The question recurred on the adoption of the amendment which was adopted by the following vote:

Yeas—23

Barrow	Fincher	Johnson (29th)	Poston
Bishop	Gong	Knopke	Trask
Boyd	Graham	Lewis (43rd)	Weissenborn
Brantley	Haverfield	Myers	Williams
Childers	Hollahan	Plante	Wilson
Daniel	Horne	Pope	

Nays—20

Mr. President	Broxson	Karl	Saunders
Arnold	Ducker	Lane	Scarborough
Barron	Gunter	Lewis (33rd)	Stolzenburg
Beaufort	Henderson	McClain	Ware
Bell	Johnson (34th)	Reuter	Weber

By unanimous consent, Senator Williams changed his vote from yea to nay.

On motion by Senator Daniel, by two-thirds vote, CS for HB 794 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Arnold	Childers	Johnson (34th)	Pope
Barron	Daniel	Karl	Poston
Barrow	Fincher	Knopke	Trask
Bell	Gong	Lewis (33rd)	Weissenborn
Bishop	Graham	Lewis (43rd)	Williams
Boyd	Haverfield	Myers	
Brantley	Hollahan	Ott	
Broxson	Horne	Plante	

Nays—13

Mr. President	Johnson (29th)	Saunders	Weber
Beaufort	Lane	Scarborough	
Ducker	McClain	Stolzenburg	
Henderson	Reuter	Ware	

By unanimous consent Senators Wilson and Gunter were recorded as voting yea; Senator Reuter changed his vote from nay to yea.

EXPLANATION OF VOTE

The undersigned agrees with the original purpose of CS for HB 794; however, the last amendment adopted flies so strongly in the face of open competition, that I am compelled to vote against the bill on final passage. If the House of Representatives refuses to concur in said amendment and the Senate recedes, I will vote in favor of the bill.

Jerry Thomas, 35th District

On motion by Senator Daniel, by two-thirds vote, CS for HB 794 was ordered immediately certified to the House.

Senator Barron posed a parliamentary inquiry as to whether it was possible to move to reconsider the vote by which a bill was immediately certified to the House. The Chair, citing the provisions of Rule 6.9 and the rule with respect to reconsideration generally, requested the chairman and vice-chairman of the Committee on Rules, Calendar, Privileged Business and Ethics and Senator Barron to consider the point and advise the Chair with respect thereto.

On motion by Senator Horne, the House was requested to return HB 2.

SB 1032—A bill to be entitled An act relating to higher education; expressing legislative intent that community colleges and state universities complement rather than duplicate their assigned roles; providing for policies on admissions; authorizing the Board of Regents to establish policies and regulations; providing limitations on remedial and compensatory programs; providing an effective date.

Was read the second time by title.

On motion by Senator Graham the following amendment was adopted:

On page 3, lines 20 and 21, section 2, strike "the Board of Regents, the Division of Community Colleges and"

Senators Graham, Boyd, Bishop and Poston offered the following amendment which was moved by Senator Graham:

On page 3, line 21, section 2, after the period "(.)" insert: such articulation agreement shall provide that graduates of community colleges shall be granted access to the upper division colleges of state universities on parity with native lower division students from such state universities.

The amendment was adopted by the following vote:

Yeas—20

Bell	Gong	Lane	Poston
Bishop	Graham	Lewis (43rd)	Reuter
Boyd	Hollahan	McClain	Scarborough
Brantley	Horne	Myers	Ware
Childers	Karl	Pope	Weber

Nays—17

Mr. President	Deeb	Lewis (33rd)	Williams
Arnold	Ducker	Plante	Wilson
Barrow	Gunter	Saunders	
Beaufort	Johnson (29th)	Saylor	
Broxson	Knopke	Stolzenburg	

Senator Barrow presiding.

Senators Graham, Bishop and Poston offered the following amendment which was adopted on motion by Senator Graham:

On page 4, line 31, insert a new Section 6 and renumber: Section 6 The Board of Regents is hereby directed to review the lower division program at each state university, and specifically recommend to the 1972 legislature: (1) whether existing lower division programs should be continued; (2) whether lower division programs should be added to those state universities not authorized to offer lower division program; and (3) whether admission, transfer, and curriculum policies at those state universities which are authorized to offer lower division programs complement the state plan for community colleges.

Senator Ware moved the adoption of the following amendment:

On page 4, line 23, section 5, strike entire section 5 and renumber

Senator Boyd moved the adoption of the following substitute amendment which failed:

On page 4, line 29, section 5, after graduation strike remainder of sentence and insert: (.)

The amendment was adopted.

Senators Graham and Poston offered the following amendment which was adopted on motion by Senator Graham:

On page 1, in title, after the semicolon “(;)” insert: directing the Board of Regents to review and report to the 1972 Legislature on Lower Division Programs;

On motion by Senator Saunders, by two-thirds vote, SB 1032 as amended was read the third time by title.

On motion by Senator Horne the following amendment was adopted by two-thirds vote:

On page 4, line 22, section 4, strike the period and insert: and may permit compensatory or remedial programs for such students notwithstanding the provisions of Section three hereof.

On motion by Senator Plante, by two-thirds vote, debate on the bill was limited to 2 minutes per side.

SB 1032 as further amended failed to pass. The vote was:

Yeas—8

Bell	Boyd	Horne	Pope
Bishop	Ducker	Lane	Ware

Nays—33

Mr. President	Deeb	Knopke	Sayler
Arnold	Fincher	Lewis (33rd)	Scarborough
Barron	Graham	Lewis (43rd)	Stolzenburg
Barrow	Gunter	McClain	Trask
Beaufort	Haverfield	Myers	Williams
Brantley	Henderson	Plante	Wilson
Broxson	Hollahan	Poston	
Childers	Johnson (29th)	Reuter	
Daniel	Johnson (34th)	Saunders	

By unanimous consent Senator Weissenborn was recorded as voting nay.

SB 808—A bill to be entitled An act relating to workmen's compensation; amending §440.11, Florida Statutes, appearing as subsection (1) of §440.11, Florida Statutes, 1970 Supplement, relating to the exclusiveness of an employer's liability to secure payment of compensation relating to medical services, disability and death, to provide that such liability shall also be exclusive of such employer's liability to any third party tortfeasor; providing an effective date.

Was read the second time by title. On motion by Senator Horne, by two-thirds vote SB 808 was read the third time by title, passed and by two-thirds vote, was immediately certified to the House. The vote was:

Yeas—37

Arnold	Barrow	Bell	Boyd
Barron	Beaufort	Bishop	Brantley

Broxson	Henderson	Lewis (43rd)	Stolzenburg
Childers	Hollahan	McClain	Trask
Daniel	Horne	Plante	Weber
Deeb	Johnson (34th)	Poston	Williams
Ducker	Karl	Reuter	Wilson
Fincher	Knopke	Saunders	
Graham	Lane	Sayler	
Haverfield	Lewis (33rd)	Scarborough	

Nays—2

Pope Ware

By unanimous consent Senator Weissenborn was recorded as voting nay.

The President presiding.

SB 1296—A bill to be entitled An act relating to adoption; amending Section 63.071, Florida Statutes, to prohibit filing of a petition of adoption unless the child is sought to be adopted by his stepparent, a blood relative, or is received by the proposed adopting parent or parents from a licensed child placement agency or by the Division of Family Services or if from an agency without the State of Florida with the written consent of the Division of Family Services; providing an effective date.

Was read the second time by title.

Senators Myers and Lewis (43rd) offered the following amendment which was adopted on motion by Senator Myers:

On page 4, line 3, section 2, strike Section 2. and insert: Section 2. This act shall become effective January 1, 1973.

Senator Haverfield moved that SB 778 be included in the special order of House Bills to be taken up on May 28. The motion was adopted by two-thirds vote.

CO-INTRODUCERS

By permission, Senator Bell was recorded as a co-introducer of Senate Bills 778 and 100.

By permission, Senator Boyd was recorded as a co-introducer of Senate Bills 868 and 1032.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 5:05 p.m. to reconvene at 8:30 a.m., May 28, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 9:00 a.m., May 28, 1971.